

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP address
68.43.83.10,

Defendant.

Case No. 13-13516

District Judge Denise Page Hood

Magistrate Judge R. Steven Whalen

ORDER

Plaintiff Malibu Media, LLC (“Malibu”) has filed a motion for leave to serve third party subpoenas prior to a Rule 26(f) conference [Doc. #2]. Plaintiff does not know the name of the John Doe Defendant, but has identified that person by a unique Internet Protocol (“IP”) address. Plaintiff states that it can discover the identity of the Defendant by serving a subpoena on the Internet Service Provider (“IP”) associated with the IP address and the Defendant. However, Plaintiff has not identified the ISP, and has not shown that the John Doe Defendant is linked to a particular ISP.¹

Accordingly, Plaintiff shall, within seven days of the date of this Order, file a supplemental memorandum, providing the Court with additional information with which to decide this motion.

IT IS SO ORDERED.

Dated: September 11, 2013

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

¹ In its motion, Plaintiff stated that “[a] proposed order is attached for the Court’s convenience.” No such proposed order was provided. *See* Doc. #2 and #3.

I hereby certify that a copy of the foregoing document was sent to parties of record on September 11, 2013, electronically and/or by U.S. mail.

s/Michael Williams
Case Manager to the
Honorable R. Steven Whalen